

thence to 47°35'56.6" N, 122°16'29.2" W; thence to 47°35'42" N, 122°16'24" W; thence to the east side of the entrance to the west highrise of the Interstate 90 bridge; thence westerly along the south side of the bridge to the shoreline on the western terminus of the bridge; thence southerly along the shoreline to Andrews Bay at 47°33'06" N, 122°15'32" W; thence northeast along the shoreline of Bailey Peninsula to its northeast point at 47°33'44" N, 122°15'04" W; thence easterly along the east-west line drawn tangent to Bailey Peninsula; thence northerly along the shore of Mercer Island to the point of origin. [Datum: NAD 1983]

(c) *Regulations.* In accordance with the general regulations in 33 CFR Part 165, Subpart C, no person or vessel may enter or remain in the zone except for support vessels and support personnel, vessels registered with the event organizer, or other vessels authorized by the Captain of the Port or his designated representatives. Vessels and persons granted authorization to enter the safety zone shall obey all lawful orders or directions of the Captain of the Port or his designated representatives.

[CGD13-04-002, 69 FR 35250, June 24, 2004]

**§ 165.1321 Security Zone; Protection of Military Cargo, Captain of the Port Zone Puget Sound, WA.**

(a) *Notice of enforcement or suspension of enforcement.* The Captain of the Port Puget Sound will enforce the security zones established by this section only upon notice. Captain of the Port Puget Sound will cause notice of the enforcement of these security zone to be made by all appropriate means to effect the widest publicity among the affected segments of the public including publication in the FEDERAL REGISTER as practicable, in accordance with 33 CFR 165.7(a). Such means of notification may also include but are not limited to, Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port Puget Sound will issue a Broadcast Notice to Mariners and Local Notice to Mariners notifying the public when enforcement of these security zones is suspended.

(b) *Definitions.* The following definitions apply to this section:

*Designated Representative* means those persons designated by the Captain of the Port to monitor these security zones, permit entry into these zones, give legally enforceable orders to persons or vessels within these zones and take other actions authorized by the Captain of the Port. Persons authorized in paragraph (g) to enforce this section and Vessel Traffic Service Puget Sound (VTS) are Designated Representatives.

*Federal Law Enforcement Officer* means any employee or agent of the United States government who has the authority to carry firearms and make warrantless arrests and whose duties involve the enforcement of criminal laws of the United States.

*Navigable waters of the United States* means those waters defined as such in 33 CFR Part 2.

*Public vessel* means vessels owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

*Washington Law Enforcement Officer* means any General Authority Washington Peace Officer, Limited Authority Washington Peace Officer, or Specially Commissioned Washington Peace Officer as defined in Revised Code of Washington section 10.93.020.

(c) *Security zone.* The following areas are security zones:

(1) *Blair Waterway Security Zone:* The Security Zone in the Blair Waterway, Commencement Bay, WA, includes all waters enclosed by a line connecting the following points: 47°16'57" N, 122°24'39" W, which is approximately the beginning of Pier No. 23 (also known as the Army pier); then northwesterly to 47°17'05" N, 122°24'52" W, which is the end of the Pier No. 23 (Army pier); then southwesterly to 47°16'42" N, 122°25' 18" W, which is the approximate location of a private buoy on the end of the sewage outfall; then southeasterly to 47°16'33" N, 122°25'04" W, which is approximately the northwestern end of Pier No. 5; then northeasterly to the northwestern end of Pier No. 1; then southeasterly along the shoreline of the Blair Waterway turning basin; then along the shoreline around the Blair Waterway turning basin; then northwesterly along the shoreline of the

Blair Waterway to the Commencement Bay Directional Light (light list number 17159); then northeasterly along the shoreline to the point of origin. [Datum: NAD 1983].

(2) *Sitcum Waterway Security Zone:* The Security Zone in the Sitcum Waterway, Commencement Bay, WA, includes all waters enclosed by a line connecting the following points: 47°16'33" N, 122°25'04" W, which is approximately the northwestern end of Pier No. 5; then northwesterly to 47°16'42" N, 122°25'18" W, which is the approximate location of a private buoy on the end of the sewage outfall; then southwesterly to 47°16'23" N, 122°25'36" W; then southeasterly to 47°16'10" N, 122°25'27" W, which is the northwestern corner of Pier No. 2; then extending northeasterly to 47°16'13" N, 122°25'13" W; then extending southeasterly along the shoreline of the Sitcum Waterway; then northeasterly along the shoreline at the terminus of the Sitcum Waterway and then northwesterly along the shoreline of the Sitcum Waterway; then northeasterly along the shoreline of Pier No. 5 to the point of origin. [Datum: NAD 1983].

(3) *Budd Inlet Security Zone:* The Security Zone in Budd Inlet, West Bay, Olympia WA includes all waters enclosed by a line connecting the following points: 47°03'12" N, 122°54'21" W, which is approximately the northwestern end of the fence line enclosing Berth 1 at Port of Olympia; then northerly to 47°03'15" N, 122°54'21" W, which is the approximate 300 feet north along the shoreline; then westerly to 47°03'15" N, 122°54'26" W; then southerly to 47°03'06" N, 122°54'26" W; then southeasterly to 47°03'03" N, 122°54'20" W, which is approximately the end of the T-shaped pier; then north to 47°03'04" N, 122°54'19.5" W, which is approximately the southwestern corner of berth 1; then northerly along the shoreline to the point of origin. [Datum: NAD 1983].

(d) *Obtaining permission to enter, move within, or exit the security zones.* All vessels must obtain permission from the COTP or a Designated Representative to enter, move within, or exit the security zones established in this section when these security zones are enforced. Vessels 20 meters or greater in length should seek permission from the COTP

or a Designated Representative at least 4 hours in advance. Vessels less than 20 meters in length should seek permission at least 1 hour in advance. VTS Puget Sound may be reached on VHF channel 14.

(e) *Compliance.* Upon notice of enforcement by the Captain of the Port Puget Sound, the Coast Guard will enforce these security zones in accordance with rules set out in this section. Upon notice of suspension of enforcement by the Captain of the Port Puget Sound, all persons and vessels are authorized to enter, transit, and exit these security zones.

(f) *Regulations.* Under the general regulations in 33 CFR part 165 subpart D, this section applies to any vessel or person in the navigable waters of the United States to which this section applies. No person or vessel may enter the security zones established in this section unless authorized by the Captain of the Port or his designated representatives. Vessels and persons granted permission to enter the security zone shall obey all lawful orders or directions of the Captain of the Port or his designated representatives. All vessels shall operate at the minimum speed necessary to maintain a safe course.

(g) *Enforcement.* Any Coast Guard commissioned, warrant or petty officer may enforce the rules in this section. In the navigable waters of the United States to which this section applies, when immediate action is required and representatives of the Coast Guard are not present or not present in sufficient force to provide effective enforcement of this section, any Federal Law Enforcement Officer or Washington Law Enforcement Officer may enforce the rules contained in this section pursuant to 33 CFR 6.04–11. In addition, the Captain of the Port may be assisted by other federal, state or local agencies in enforcing this section pursuant to 33 CFR 6.04–11.

(h) *Exemption.* Public vessels as defined in paragraph (b) of this section are exempt from the requirements in this section.

(i) *Waiver.* For any vessel, the Captain of the Port Puget Sound may waive any of the requirements of this section, upon finding that operational

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conditions or other circumstances are such that application of this section is unnecessary or impractical for the purpose of port security, safety or environmental safety.

[CGD13-04-019, 69 FR 52603, Aug. 27, 2004, as amended by CGD13-04-040, 69 FR 71711, Dec. 10, 2004; CGD13-04-46, 70 FR 2019, Jan. 12, 2005; CGD13-05-031, 70 FR 45537, Aug. 8, 2005]

### § 165.1322 Regulated Navigation Area: Willamette River Portland, Captain of the Port Columbia River Zone.

(a) *Location.* The following is a regulated navigation area (RNA): All waters of the Willamette River encompassed by a line commencing at 45°34'.47" N, 122°45'28" W along the shoreline to 45°34'47" N, 122°45'30" W thence to 45°34'48" N, 122°45'30" W thence to 45°34'48" N, 122°45'30" W thence to 45°34'48" N, 122°45'28" W thence to 45°34'47" N, 122°45'28" W and back to the point of origin. All coordinates reference 1983 North American Datum (NAD 83).

(b) *Regulations.* (1) Motoring, anchoring, dragging, dredging, or trawling are prohibited in the regulated area.

(2) All vessels transiting or accessing the regulated area shall do so at a no wake speed or at the minimum speed necessary to maintain steerage.

[USCG-2008-0112, 74 FR 5988, Feb. 4, 2009]

### § 165.1323 Regulated Navigation Area: Willamette River Captain of the Port Columbia River Zone.

(a) *Location.* The following is a regulated navigation area (RNA): All waters of the Willamette River encompassed by a line commencing at 45°34'.33" N, 122°44'17" W to 45°34'32" N, 122°44'18" W thence to 45°34'35" N, 122°44'24" W thence to 45°34'35" N, 122°44'27" W thence to 45°34'35" N, 122°44'36" W thence to 45°34'35" N, 122°44'37" W thence to 45°34'38" N, 122°44'42" W to 45°34'39" N, 122°44'43" W thence to 45°34'44" N, 122°44'51" W thence to 45°34'45" N, 122°44'53" W thence to 45°34'47" N, 122°44'51" W thence to 45°34'45" N, 122°44'46" W to 45°34'45" N, 122°44'45" W thence to 45°34'47" N, 122°44'43" W thence to 45°34'46" N, 122°44'42" W thence to 45°34'48" N, 122°44'40" W thence to 45°34'48" N, 122°44'38" W and along the shoreline to

45°34'46" N, 122°44'39" W and back to the point of origin. All coordinates reference 1983 North American Datum (NAD 83).

(b) *Regulations.* (1) Anchoring, spudding, dredging, laying cable, dragging, trawling, conducting salvage operations, operating commercial vessels of any size, and operating recreational vessels greater than 30 feet in length are prohibited in the regulated area.

(2) All vessels transiting or accessing the regulated area shall do so at no wake speed or at the minimum speed necessary to maintain steerage.

[USCG-2008-0121, 74 FR 5991, Feb. 4, 2009]

### § 165.1324 Safety and Security Zone; Cruise Ship Protection, Elliott Bay and Pier-91, Seattle, Washington.

(a) *Safety and security zones.* (1) The following area is a safety and security zone: All waters within the following points: a rectangle, starting at 47°37'53" N/122°23'07" W, thence south to position 47°37'06" N/122°23'07" W, thence east to position 47°37'06" N/122°22'43" W, thence north to position 47°37'58" N/122°22'43" W. This zone will be enforced only during the arrival or departure of Large Passenger Cruise Vessels at Pier 91, Seattle, Washington.

(2) The following area is a safety and security zone: All waters within 100 yards of Pier 91, Seattle, Washington, at approximate position 47°37'35" N/122°23'00" W. This zone will be enforced only when a Large Passenger Cruise Vessel is moored at Pier 91.

(b) *Regulations.* In accordance with the general regulations in 33 CFR Part 165, Subpart D, no person or vessel may enter or remain in either Safety and Security Zone except for vessels authorized by the Captain of the Port or Designated Representatives.

(c) *Definitions.* The following definitions apply to this section:

*Facility Security Officer* means the person designated as responsible for the development, implementation, revision and maintenance of the facility security plan and for liaison with the COTP and Company and Vessel Security Officers.

*Large Passenger Cruise Vessel* means any cruise ship over 100 feet in length carrying passengers for hire. Large